

Spencer C. Patterson
(214) 855-4177
spatterson@jenkens.com

Jenkins & Gilchrist

A PROFESSIONAL CORPORATION

1445 ROSS AVENUE
SUITE 3200
DALLAS, TEXAS 75202

(214) 855-4500
FACSIMILE (214) 855-4300

www.jenkins.com

AUSTIN, TEXAS
(512) 499-3800

CHICAGO, ILLINOIS
(312) 425-3900

HOUSTON, TEXAS
(713) 951-3300

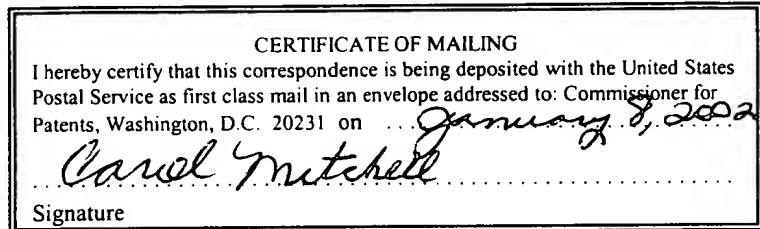
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(310) 820-8800

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(212) 704-6000

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(210) 246-5000

WASHINGTON, D.C.
(202) 326-1500

Commissioner for Patents
BOX NON-FEE AMENDMENT
Washington, D.C. 20231



Re: Applicant: Russell H. FISH, III
Serial No.: 09/887,391
Filing Date: June 22, 2001
For: DISTRIBUTED MEANS OF ORGANIZING AN ARBITRARILY LARGE
NUMBER OF COMPUTERS
Docket No.: 52803-00001

Dear Sir:

Transmitted for filing with the Patent and Trademark Office are the following documents for the above-referenced patent application:

1. Transmittal letter (in duplicate);
2. Reply to Notice of Omitted Item(s) in a Nonprovisional Application;
3. Copy of Notice of Omitted Item(s) in a Nonprovisional Application;
4. Preliminary Amendment;
5. Appendix I to Preliminary Amendment; and
6. Postcard acknowledgment.

COPY OF PAPERS
ORIGINALLY FILED

Please address all communications related to this to:

Spencer C. Patterson, Esq.
Jenkins & Gilchrist, P.C.
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202-2799

In the event there is an under or over payment, please debit or credit our Deposit Account #10-0447. This letter is being filed in duplicate to facilitate processing.

Respectfully submitted,

Spencer C. Patterson
Registration No. 43,849



#7

Docket No. 52803-00001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Russell H. FISH, III)
Serial No.: 09/887,391) Examiner: not assigned
Filed: June 22, 2001) Group Art Unit: 2151

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For: DISTRIBUTED MEANS OF ORGANIZING AN ARBITRARILY LARGE NUMBER
OF COMPUTERS

Customer Service Center
Initial Patent Examination Division
Commissioner of Patents
Washington, D.C. 20231

| CERTIFICATE OF MAILING | |
|---|--------------|
| I hereby certify that this correspondence is being deposited postage paid with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 | |
| on | Jan. 8, 2002 |
| <i>Carol Mitchell</i> | |
| Signature | |

Dear Sir:

**REPLY TO NOTICE OF OMITTED ITEM (S) IN A
NONPROVISIONAL APPLICATION**

In response to the Notice of Omitted Item(s) in a Nonprovisional Application mailed on December 3, 2001, in the above-identified application for patent, Applicant respectfully submits herewith a Preliminary Amendment to amend the specification to correct the reference to the drawing figure. The Preliminary Amendment of the application serves to correct the specification in the "Brief Description of the Drawings" to replace the description of "Figs 6A-6C" with the description of "Fig 6." Figure 6 as described was submitted in the application papers as filed on June 22, 2001.

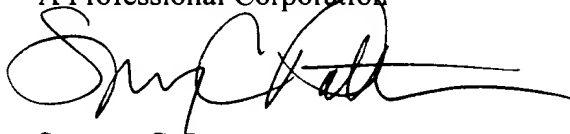
A copy of the Notice of Omitted Item(s) in a Nonprovisional Application is enclosed with

this Reply.

It is believed that no fee is required to be paid in connection with this Reply to Notice of Omitted Item(s); however, in the event that any fee is due or required, the United States Patent and Trademark Office is hereby authorized and requested to charge such fee(s) or credit any refund to Deposit Account No. 10-0447.

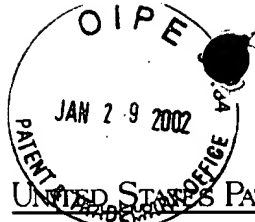
Respectfully submitted,

JENKENS & GILCHRIST,
A Professional Corporation

A handwritten signature in black ink, appearing to read 'Spencer C. Patterson', with a long horizontal flourish extending to the right.

Spencer C. Patterson
Reg. No. 43,849
Attorney for Applicant

1445 Ross Avenue, Suite 3200
Dallas, Texas 75202-2799
Phone: (214) 855-4177
Fax: (214) 855-4300



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/887,391 | 06/22/2001 | Russell H. Fish III | 52803-1 |

CONFIRMATION NO. 7165

FORMALITIES LETTER



OC000000007147775

Spencer C. Patterson, Esq.
Jenkins & Gilchrist, P.C.
1445 Ross Avenue, Suite 3200
Dallas, TX 75202-2799

COPY OF PAPERS
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Date Mailed: 12/03/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **6A-6C** described in the specification.

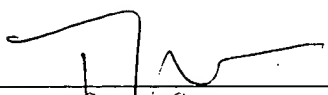
I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE